

**Minutes of the Carlisle Board of Health
May 12, 2015**

Minutes 1/6/15, 2/3/15, 4/28/15

Bills

Administrative Reports

Benfield Farms Development

- FAST system report
- 429 Cross Street – (Cummings)

- Septic system upgrade
- Title 5 Inspection

Farmer's Market Procedures (Susan Macone)

- Self-Certification Form

DISCUSSION ITEMS

Manure and Swine Regulations –

- Proposed revision #2
- Self-Certification Form - draft

Public Health Social Media Policy

Consultant Contracts

- Technical Consulting Group
- Phelps Food Service

95 Hanover Road – Status Report

The meeting was called to order by the Chairman at 7:00 pm at town hall. Present were Board members Bill Risso (Chairman), Lee Storrs, Catherine Galligan, Todd Thorsen, and Donna Margolies. Also present Linda Fantasia, Health Agent and Alex Brewster (Carlisle Mosquito).

MINUTES

It was moved (Galligan) and seconded (Thorsen) to approve the minutes of 1/6/15 as amended. Passed 5-0-0.
It was moved (Thorsen) and seconded (Storrs) to approve the minutes of 2/3/15 as amended. Passed 5-0-0.
It was moved (Margolies) and seconded (Thorsen) to approve the minutes of 4/28/15 as amended. Passed 5-0-0.

BILLS - March engineering services, payrolls, hazardous waste collection and well inspector. Metivier did not charge for the Foss Farm Community Garden wells.

It was moved (Galligan) and seconded (Storrs) to approve payment of the above invoices. Motion passed 5-0-0.

ADMINISTRATIVE REPORTS – May 12, 2015

MA Dept. Public Health Summer Intern – Stephanie Moore will be at the office Friday 10:00 a.m. to discuss her project.

Bow Hunting – The non-binding ballot question requiring the Selectmen to place an article on the next town warrant passed 305 – 90. The Selectmen will decide on the next step.

Tick Testing Program – Carlisle has submitted 187 ticks. There are only 260 spots remaining for all grant participants. The grant organizers have asked Carlisle to hold off on new submittals. The organizers are looking for samples from Nantucket and Franklin Counties.

Health Medical Care Coalitions (HMCC) – No agency bid on the Region 4AB Host Agency contract. DPH is considering what to do next. Mary Clark, Director of the Office of Emergency Preparedness will be meeting with the Ex. Committees for 4A and 4B. Mass. Health Officers Association submitted a letter to DPH with concerns and recommendations. DPH needs to prepare a contingency plan for continuing current fiscal contracts.

100 Long Ridge Road 40 B Application – email from Thornton Ash forwarding comments from Scott Horsley on nitrogen loading models. Risso attended the May 5th Zoning Meeting which dealt with the hydrogeological reports from consultants. The applicant will respond at the next meeting.

DISCUSSION ITEMS

Benfield Farms Discussion - The Board reviewed FAST testing results submitted by Waste Treatment Services (WTS) dated 5/11/15, an email from WTS service contractor Mike Moreau dated 5/11/15 and an email from Peabody Co. property manager Susan Curerri.

According to WTS the test results indicate that the FAST system is functioning better but not to normal standards. There is still a higher than normal concentration of Nitrite Nitrogen in the effluent. The biomass is still recovering from the winter cold. WTS may buffer the alkalinity in the system prior to the next test in May or early June. The Board questioned why WTS would not do this sooner. Risso agreed to speak with Moreau about this. The Board noted that sodium is still high in the wastewater. It is unclear to the Board what is causing this problem. The Board is concerned that backwash from the water softener may be discharging into the sewage lines. There is a drywell but it may not be connected properly. Fantasia will check with DEP for the original sodium test results when the well was installed. According to her email, Curerri reported that all tenants received notice of the sodium levels. This would be important if a tenant is on a sodium restricted diet.

Alan Carpenito of South Street told the Board that his wife had noticed strong septic odors at Benfield. He pointed out that the town funded \$425,000 for infrastructure which is apparently not working. Residents are not happy with accommodations but feel too intimidated to speak up. Carpenito took issue with the fact that NOAH was making a profit on the development even though there are septic and water quality problems. He felt taxpayers should not be funding systems that are not working properly. The Board agreed that there appears to be something that is inhibiting the growth of bacteria in the FAST. Two Benfield residents did attend the Board's last meeting. The Board is always willing to hear from residents about concerns. The FAST system is licensed by the state. Because the system has not met its operating standards, the Board has not issued a Certificate of Compliance for the septic system. Although the system is having problems, it is still meeting the nitrogen standards for the leaching area. The bio-film was not sufficiently established to make it through the cold winter. Following the initial startup there was also an incident that killed off the bacteria. A second start up was done in the fall.

The Board agreed to invite WTS (system operator), J & R Engineering (system designer), Bio-Microbics (system manufacturer) and NOAH to the next meeting. The Board would like to understand what the operators and property managers are doing to resolve the issues. The Board would be interested in knowing if there is a trouble-shooting checklist used by the FAST system. The Board is concerned enough about the FAST that it might impose a moratorium on these units for future developments. The Board is also interested in hearing directly from the residents. Since the Board has approved a similar septic permit for Garrison Place which has not yet begun construction the Board will invite the Garrison Place developers to the meeting.

429 CROSS STREET – Septic system repair. Kristen and Charley Cummings appeared before the Board. They purchased the property last June without having a Title 5 done. It was a private sale. They were aware that the system was in failure and planned on upgrading it this summer. Testing was done last spring. The existing system

was constructed by the original owner many years ago. There is no information about the system. They have not had any problems and have not observed any breakout on the property. There are only two people living in the house. The Board explained that regardless of the type of a transaction, under 310 CMR 15.301 a Title 5 Inspection is required upon property transfer. Failed systems must be upgraded within two years of the date of the failed inspection. With no inspection the Board will need to set a deadline. The Board said the realtor should have made the buyers aware of the inspection requirement. The Board asked who the realtor was and the Cummings said it was Al Magaletta of Coldwell Bankers. Since everyone knew the system would probably not pass, the realtor did not advise paying for a separate inspection. The owners have scheduled a Title 5 Inspection for later in the week. A septic upgrade plan was approved on 2/25/15. With no information on the status of the current system while the house was occupied, the Board sent a number of letters asking for an update. The Board was concerned that the property well is approximately 50' from a system of unknown construction. Cummings said the water was tested and passed. The Board agreed there is no way to upgrade the existing system in the same location because of its proximity to the well. The Board advised that if there is a water softener it cannot discharge to the new system. The Board wants the system upgraded prior to the winter shut down (11/30/15). Even though there are only two bedrooms in the house, Title 5 requires a minimum three bedroom system to be built. The Board does not recommend installing a garbage grinder. The Board will send a letter to the realty company asking that they educate their staff about the state inspection requirements. The Cummings' will forward the Title 5 Inspection report when completed.

FARMER'S MARKET – Gail Flannery appeared before the Board. She is one of the new market managers. The market has formalized its application process and is looking to the Board on licensing vendors. Galligan had prepared a self-certification checklist that will be completed by each food vendor and maintained on site by the managers. An electronic copy will be sent to the Board with updates. The Board will need copies of licenses issued in other towns and ServSafe Certification for vendors preparing and selling food. Flannery suggested the Board participate in the community table by offering educational materials. The market will run from June through September in the Kimball's parking lot from 8-noon. The Board thanked Flannery for her help with the market.

Manure and Swine Regulations (Draft) - The Board reviewed the latest drafts. Galligan prepared a self-certification that could be used in lieu of an inspection. If there are complaints the Board would do a site inspection. The Planning Board submitted a number of comments which the Board found helpful. The Board recognized that it needs to provide a checklist if applicants are to provide a manure management plan. There are no criteria listed in the draft. A final draft will be presented for the next meeting.

Social Media Policy – Public Health Region 4A hired a consultant to prepare a social media policy for its members. The Board reviewed the draft and thought it was well done. The Board will send the draft to the Selectmen. The Board is interested in social media as a way of informing residents about important health topics. It can also be useful during an emergency. The Board discussed how it would monitor the sites for inappropriate content and how to comply with the public records laws. The Board agreed to eliminate the word "secure" from the policy since this is not possible. The Board thought that the MEC system archives all messages. The Board already has a YouTube account and has secured the name "Carlisle OH" for other media.

It was moved (Galligan) and seconded (Storrs) to accept the Region 4A Social Media Policy, deleting the term "secure", for use by the Carlisle Board of Health. Motion passed 5-0-0. The Board agreed to express its thanks to Region 4A for providing the expertise.

Consultant Contracts - Technical Consulting Group (TCG), Phelps Food Service (PFS) and Public Protection Specialists (PPS) contracts expire June 30th. The Board reviewed proposed rates submitted by TCG but wanted more clarification. Risso agreed to speak with Frado. The contracts will be discussed again at the next meeting.

95 Hanover Hill – The Board discussed an email¹ dated 5/11/15 from Dr. Nouvellon, owner. The Board did not agree with the points made, some of which were not under the Board's purview. The Board agreed to respond to the items individually and include previous communications to Dr. Nouvellon which better describe the current situation. The letter will be sent to town counsel for comment before sending.

¹ See 95 Hanover Hill property file for email.
Carlisle Board of Health Minutes
Meeting Date: May 12, 2015
Approved: July 14, 2015

- Item #1 Plan reference unclear*
Items #2-3 Building Department issue not Board of Health
Item #4 Stamski & McNary Inc. issue not Board of Health
- Item #5 Board of Health Actions: At a public meeting which you attended on 11/5/14, the Board discussed your request to restart work on the septic system in accordance with a proposed 5-10 day completion timetable submitted by your installer. This request was denied due to the following:*
- the Board's experience with your similar request to work past the winter shut down of 11/30/13 in order to obtain a Certificate of Compliance by 12/3/13 and your failure to meet that extension;*
 - a history of lack of progress on the installation work;*
 - the fact that your 2014 winter extension timetable did not take into account weather delays or holidays;*
 - unpaid engineering fees;*
 - the fact that the Board could not provide a special service to you that might detrimentally impact or delay work on other installations that were already in line to meet the winter shutdown deadline.*
- On numerous occasions (11/12/13, 12/6/13, 6/2/14, 8/6/14, 10/14/14, 10/24/14, 11/3/14) the Board advised of you what steps you would need to take to continue work on the septic installation. The only condition that has been met was the submittal of a revised septic plan on 11/5/14 relocating the drainage pipe.*
- Items #6-7 These statements do not pertain to the regulatory issue at hand.*
Item #8 The Board has no record of complaints from the identified party and is unable to respond to anonymous accusations.

There was no further business. Meeting voted to adjourn at 9:20 p.m.

Respectfully submitted,

Linda M. Fantasia
Recorder